

# Australia: Non-Use Period Reduced

## *Australia's Intellectual*

*Property Laws Amendment (Productivity Commission Response Part 1 and Other Measures) Act 2018 (Amendment Act)* took effect on February 24, 2019. The key change is a reduction in the time period before a trademark registration can be challenged for non-use.

## Before the Amendment Act, [More](#)

Australia's *Intellectual Property Laws Amendment (Productivity Commission Response Part 1 and Other Measures) Act 2018* (Amendment Act) took effect on February 24, 2019. The key change is a reduction in the time period before a trademark registration can be challenged for non-use.

Before the Amendment Act, a non-use application could be made only after five years from the filing date of the challenged registration. Now, a non-use application may be made after three years from the date the particulars of the challenged registration were entered into the Register.

The change applies only to applications filed on or after February 24, 2019 and is not retrospective. Therefore, registrations resulting from applications filed before February 24, 2019 still benefit from a five-year grace period for non-use. –[KL](#)

## Primary Contacts

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